

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LAMAR M. HAAPT and
CAROL M. HAAPT,
Plaintiffs,

v.

THE GOODYEAR TIRE & RUBBER
COMPANY,
Defendant.

**MOTION FOR RECONSIDERATION OF DEFENDANT
GOODYEAR TIRE & RUBBER COMPANY'S
MOTION FOR JUDGMENT AS A MATTER OF LAW AND NEW TRIAL
PURSUANT TO RULE 50(b)
OF THE FEDERAL RULES OF CIVIL PROCEDURE**

Defendant Goodyear Tire and Rubber Company hereby moves for reconsideration of its Motion for Judgment as a Matter of Law and New Trial pursuant to Rule 50(b) of the Federal Rules of Civil procedure, and in support thereof avers as follows:

1. Trial in the above-captioned matter was conducted before the Honorable Linda K. Caracappa beginning on June 9, 2003.
2. After the close of evidence, a verdict was returned by the Jury finding for the Plaintiffs in the total amount of \$350,000.
3. After the return of the verdict by the Jury, Defendant Goodyear Tire and Rubber Company orally moved for Judgment as a matter of law and a new trial pursuant to Rule 50(b) of the Federal Rules of Civil Procedure.
4. The Court denied Defendant's Motion of record.
5. Defendant hereby respectfully requests that the Court grant reconsideration of its denial of Defendant's Rule 50(b) Motion, so as to allow

additional briefing with respect to the Motion with citations to the trial transcript, which has been ordered.

6. Further, the granting of reconsideration will allow proper framing of issues to be brought on appeal, if any, as well as allowing the parties to pursue settlement.

WHEREFORE, Defendant Goodyear Tire and Rubber Company respectfully requests that the Court enter an Order granting reconsideration of Defendant's post trial Motion.

/S/

By:

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Dated: July 17, 2003